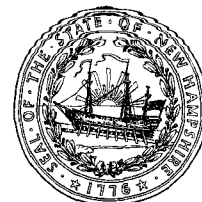




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

December 7, 2005

LETTER OF DEFICIENCY# WSEB 05-183
Certified Mail# 7099 3400 0003 0691 2618

Roger Carter
Upline Investment Properties, LLC
PO Box 1892
Dover, NH 03820

Subject: Alton - Public Water System: Mountain View Park (EPA# 0063030)

Dear Mr. Carter:

The records of the Department of Environmental Services (DES) show that the Mountain View Park water system is classified as a community public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Administrative Rule Env-Ws 325.

DES records show that the subject water system failed to submit bacteria samples and as a result monitoring/reporting (M/R) violations were issued for **January 2005 and October 2005**. In addition, pursuant to RSA 332-E and Env-Ws 367, a community water system is required to retain a certified operator to operate and maintain the water system to protect public health. It is DES' understanding that Jedediah Greeke is no longer the certified operator for Mountain View Park and that the system currently does not have a certified operator.

DES believes the above cited violations can be corrected and future violations prevented by taking the following actions:

1. **By December 30, 2005**, submit a routine water sample for bacteria analysis to the state laboratory, or a state-certified laboratory, in accordance with Env-Ws 325; and
2. **By December 30, 2005**, obtain a certified operator to operate and maintain the water system, and notify DES in writing of the name and license number of the operator.

The written response concerning the name and license number of the certified operator, as requested above, should be addressed as follows:

Alan Leach
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

In the event compliance is not achieved within the periods set forth above, DES may initiate formal action against Upland Investment Properties LLC, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please contact Harrison "Chip" Mackey at (603) 271-2410 or by email at hmackey@des.state.nh.us, if you have any questions regarding the requirements of a certified operator. A listing of firms offering operational services for small water systems is available at www.des.state.nh.us/factsheets/ws/ws-7-2.htm. Also, please ensure that a routine monthly bacteria sample is collected in accordance with the system's Master Sampling Schedule, a copy of which is enclosed.

If you have any questions regarding this letter, please contact Alan Leach at (603) 271-2854 or by email at aleach@des.state.nh.us.

Sincerely,

COPY

Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

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encl: Master Sampling Schedule

cc w/o encl: Gretchen R. Hamel, DES Legal Unit Administrator
Town of Alton Health Officer
EPA, Region 1